1941 47-41 Serial No.)

Previous references. (Leg ,

Later references. (Leg

PRESERVED

Office of the Secretary to the Representative Assembly and Legislative Council

part B for February 1942

SUBJECT.

An Ordinance to amend the Indian Foreign Act, 1906

To the compiler Mysore Gazette

No RL 1515 - Legn 47-41-1 dated 12-2-42

orders the publication of the ~~Act~~ in the

J. Venkatanarayana
28-2-1942

Ordinance No IV of 1942, Government of India, Legislative Department

General and Revenue Secretariat
R. A. & L. C.

File No. of 194 App. F. III-2

6941RL

Serial No.

Ordinance No IV of 1942, dated 24th January 1942, Government of India, Legislative Department, introduces further amendment to the Indian Coinage Act, 1906

A copy of the Gazette of India dated January 1942, wherein the Ordinance referred to above published, is put up herewith. The file relating to amendment to the Indian Coinage Act republishing the same in Mysore is also submitted for perusal

LB 5 19
7749

24.
4-2-42

A Copy of ordinance IV of 1942 amending the Indian Coinage Act, 1906 is put up.

BVN 4/2

In Mysore, Coins of the Govt. of India are legal tender and all laws in force in British India applicable to Current Coins apply to Coins Current in Mysore also (Section 2 of Coinage Act 1906).

As on Previous occasions therefore, the present amendment and the Notifications thereunder will be published in the Mysore Gazette for general information.

A draft Notification is put up for approval

4.2.42

Law Secy) May be approved
Minister for Law

Hm 5.2.42

5.2.42

Hm 6.2.42

SECY. LAW DEPT. 1143 5 FEB 1942 GOVT OF MYSORE

NOTE—Contn. Sheet

File No. of 194

General and Revenue Secretariat
R. A. & L. C.

	Serial No.
Issued No RL.1515 dated 4-7-41-I dated 12-2-42 to the Compiler, Mysore Gazette for public ... part IV of the Gazette Notification is published in part IV of the Mysore Gazette dated 19-2-1942 at page 58	

Appendix F G—1]
R. A. & L. C.

SUBJECT.....

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Section Legis

File No. 47-4

Serial No. 1

No. R.L. 1515.

Diary No. of letter replied to .....

To

General and Revenue Secretariat
R. A. & L. C.
( )

The following Ordinance and Notifications of the Government of India Legislative and Finance Departments are hereby republished for general information

Date of issue ...12.2.42...

Signed by ...Mr. H.V. Narayana Rao...

Hm 5.2.42

D 5/2/42 Secy to Govt Law Dept

DN. 5-2-42

List of enclosures ...One...

Copied by ....

Examined by ....

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. ..... Legis 47-41-1 General and Revenue Secretariat,

Dated Bangalore, 11th FEBRUARY 1942.

NOTIFICATION.

The following Ordinance and Notifications of the Government of India, Legislative and Finance Departments, are hereby republished for general information.

By Order,

11.2.42

SECRETARY to GOVERNMENT,
Law Department.

The Compiler, Mysore Gazette, for publication in part IV of the gazette and supplying 50 copies to the Secretariat.

Bs/10.

REGISTERED No. L. 3131

SECTT.

The Gazette of India

EXTRAORDINARY

PUBLISHED BY AUTHORITY

NEW DELHI, SATURDAY, JANUARY 24, 1942

GOVERNMENT OF INDIA

LEGISLATIVE DEPARTMENT

New Delhi, the 24th January 1942

ORDINANCE NO. IV OF 1942.

ORDINANCE

further to amend the Indian Coinage Act, 1906.

WHEREAS an emergency has arisen which makes it necessary further to amend the Indian Coinage Act, 1906, for the purpose hereinafter appearing ;

I of 1906.

NOW, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act as set out in the Ninth Schedule to the Government of India Act, 1935, the Governor General is pleased to make and promulgate the following Ordinance :—

26 Geo. 5, c. 2.

1. (*1*) This Ordinance may be called the Indian Coinage (Amendment) Ordinance, 1942. Short title and commencement.

(*2*) It shall come into force at once.

III of 1906.

2. In the Indian Coinage Act, 1906 (hereinafter referred to as the said Act), for the heading preceding section 6, section 6, section 7, the heading preceding section 8, section 8 and section 9, the following heading and sections shall be substituted, namely Substitution of new heading and sections 6 and 7 for the heading preceding section 6, section 6, section 7, heading preceding section 8, section 8 and section 9, Act III of 1906.

Coinage other than Silver Coinage.

6. Coins other than silver coins may be coined at the Mint for issue under the authority of the Central Government, of such denominations not higher than an eight-anna piece, and of such metals or of mixed metals of such composition as the Central Government may, by notification in the official Gazette, determine. Coins other than silver coins.

Price 1 anna.]

Standard weight and remedy.

7. The standard weight of the coins of any denomination coined under the provisions of section 6, and the remedy allowed in the making of such coins shall be such as may be prescribed in this behalf by the Central Government."

Amendment of section 10, Act III of 1906.

3. In clause (*a*) of sub-section (*1*) of section 10 of the said Act, for the words and figures "sections 4, 6 and 8" the words and figures "sections 4 and 6" shall be substituted.

Substitute of new section 13 for sections 13 and 14, Act III of 1906.

4. For sections 13 and 14 of the said Act the following section shall be substituted, namely:

Coins other than silver coins when a legal tender.

"13. (*1*) The coins issued under the authority of section 6 shall be a legal tender in payment or on account for any sum not exceeding one rupee.

(*2*) All nickel coins and all bronze coins which may have been issued under this Act prior to the commencement of the Indian Coinage (Amendment) Ordinance, 1942, shall continue as before to be a legal tender in payment or on account for any sum not exceeding one rupee. IV of 1942.

Amendment of section 15A Act III of 1906.

5. In section 15A of the said Act, the word and figure "section 14" shall be omitted.

Amendment of section 20, Act III of 1906.

6. In section 20 of the said Act, for the words "or nickel" the words "or other" shall be substituted.

Amendment of section 21, Act III of 1906

7. In clause (*a*) of sub-section (*2*) of section 21 of the said Act, for the words and figures "by sections 5, 7 and 9" the words and figure "by section 5" shall be substituted.

LINLITHGOW,
Viceroy and Governor General.

NEW DELHI;
The 23rd January, 1942.

G. H. SPENCE,
Secy. to the Govt. of India.

FINANCE DEPARTMENT

NOTIFICATIONS

New Delhi, the 24th January 1942

O. F. 2(127) (1)-F./41.—In exercise of the powers conferred by sub-section (*1*) of section 21, read with section 7, of the Indian Coinage Act, 1906 (III of 1906), as amended by the Indian Coinage (Amendment) Ordinance, 1942 (No. IV of 1942), the Central Government is pleased to make the following rule, namely:—

The standard weight of the two-anna, one-anna and half-anna pieces coined under the provisions of section 6 of the said Act shall be ninety, sixty and forty-five grains Troy, respectively: the standard weight of the pice shall be seventy-five grains Troy and the half-pice and pie pieces shall be of proportionate weight:

Provided that in the making of nickel, nickel-brass and bronze coin, a remedy shall be allowed of an amount not exceeding one-fortieth in weight.

No. F. 2(127) (ii)-F./41.—In exercise of the powers conferred by clause (*a*) of sub-section (*1*) of section 10 of the Indian Coinage Act, 1906 (III of 1906), the Central Government is pleased to direct the coining and issuing of the following coins other than silver coins, namely :—

(a) a two anna piece

(b) a one anna piece

(c) a half-anna piece

(d) a pice or quarter anna

(e) a half pice or one-eighth of an anna,

(f) a pie or one-twelfth of an anna.

No. F. 2(127) (iii)-F./41.—In exercise of the powers conferred by clause (*b*) of sub-section (*1*) of section 10 of the Indian Coinage Act, 1906 (III of 1906), the Central Government is pleased to direct that the coins coined in accordance with the provisions of section 6 of the said Act shall conform to the following dimensions and designs, namely :—

(i) *the two anna piece* shall be a square coin with rounded corners and unmilled rim, the diameter across flats being ·880 inch and the diameter across corners being 1·000 inch;

(ii) *the one anna piece* shall have a sinuous (or waved) edge with twelve scollops, the greatest diameter being ·827 inch and the least diameter being ·7795 inch: and

(iii) *the half-anna piece* shall be square in shape with round corners, the diameter across the diagonal being 0·778 inch and across the sides being 0·684 inch.

No. F. 2(127) (iv)-F./41.—In exercise of the powers conferred by section 6 of the Indian Coinage Act, 1906 (III of 1906), as amended by the Indian Coinage (Amendment) Ordinance, 1942 (No. IV of 1942), the Central Government is pleased to direct that coins of the following denominations shall be coined at the Mints for issue under the authority of the Central Government, and that those coins shall be of mixed metals of the following composition, namely :—

(1) a two anna piece of cupro-nickel composed of seventy-five per cent copper and twenty-five per cent nickel

(2) a one anna and a half anna piece of nickel brass composed of seventy-nine per cent copper, twenty per cent zinc and one per cent nickel

(3) a pice or quarter anna, a half pice or one-eighth of an anna and a pie or one-twelfth of an anna of bronze composed of ninety-five and one-half per cent copper, three per cent tin and one and one-half per cent zinc.

H. A. C. GILL,
Deputy Secy. to the Govt. of India.

75-8/M

Pol 2030

No. R. F. 524-40/Judl.

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

FROM

THE SECRETARY

TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

Dated Bangalore, the 10th February *194*2.

Legis
CHIEF SECRETARY
11. FEB. 1942
GOVT. OF MYSORE.

The Indian Coinage (Amendment) Ordinance, 1942.

SIR,

I am directed to invite the attention of the Government of Mysore to the Gazette of India, Extraordinary, dated the 24th January 1942, promulgating the Indian

Notifications Nos. F.2(127)(i) F./41, F.2(127)(ii)-F./41, F.2(127)(iii)-F./41 and F.2(127)(iv)-F./41 dated the 24th January 1942.	Coinage (Amendment) Ordinance, 1942, and containing the marginally noted notifications issued by the Government of India, Finance Department.

I have the honour to be,
Sir,
Your most obedient servant,

P. K. Narayana Iyanni

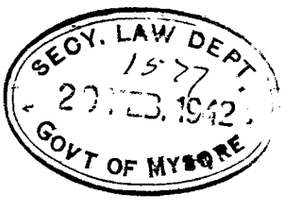
for SECRETARY TO THE RESIDENT

Submitted
No action appears called for
as the Ordinance has been
republished in the Mysore gazette
dated 19-2-1942

20.2.42 ksln. Law Secy

BCR 20-2-42

Serial No.



On 24th January 1942, the Government of India issued an Ordinance No.IV of 1942 called the Indian Coinage (Amendment) Ordinance, 1942. This Ordinance amended the Indian Coinage Act of 1906. On the same date, the Finance Department has issued otifications in exercise of the powers conferred by sub-section (1) of Section 21 read with Section 7 of the Indian Coinage Act, 1906, as amended by the Indian Coinage (Amendment) Ordinance, 1942. This Ordinance IV of 1942 was

WD 04155--GPB—55,000—23-10-41

Serial No.

republished in the Mysore Gazette dated 19th February 1942. The question for consideration is whether the Mysore Coinage Act VII of 1900 requires to be amended in the light of the Notifications issued by the Government of India.

Before the Mysore Coinage Act VII of 1900 came into existence in 1900, the Indian Coinage Act XXIII of 1870 was in force in this State. This Act was repealed by Section 3 of the Mysore Coinage Act of 1900. The Mysore Act of 1900 consists of three sections. Section 1 deals with the extent and the commencement of the Act. Section 2 deals with the Government of India coins to be legal tender in Mysore as in British India. It lays down that the coins of the Government of India shall be legal tender in Mysore in the cases in which payment made in such coins would, under the law for the time being in force, be legal tender in British India; And all laws and rules for the time being applicable to coins current in British India shall apply to coins current in Mysore. Section 3 repeals the Indian Coinage Act of 1870 as extended to Mysore by the Notification of the Government of India, Foreign Department, Finance, No.436, dated the 22nd November 1870. By virtue of Section 2, the various Acts and Notifications issued under the Indian Coinage Act from time to time would be applicable to coins current in

Serial No.

Mysore.

The Mysore Paper Currency Act of 1919 deals with the paper currency in Mysore. A question arose in 1939 whether the Mysore Paper Currency Act of 1919 had to be amended to make the notes issued by the Reserve Bank of India under the Reserve Bank of India Act, 1934, so long as such bank note was legal tender in British India, and Section 2 of the Mysore Paper Currency Act, 1919, was amended. The reason for the necessity of such an amendment is given in the statement of objects and reasons to the amending Bill. It runs as follows:-

> "Section 2 of the Mysore Paper Currency Act, 1919, makes only currency notes under the Indian Paper Currency Act for the time being in force in British India to be legal tender. The bank notes of the Reserve Bank would not come under it and they would not be legal tender in Mysore. To make the Reserve Bank notes legal tender in the State it is necessary to amend the Mysore Paper Currency Act, 1919."

Section 2 of the Mysore Paper Currency Act reads differer from Section 2 of the Mysore Coinage Act. by a reading of Section 2, it becomes clear that it is only certain notes issued by certain authorities should be legal tender and hence there was a necessity to include the notes issued by the Reserve Bank also in addition to

C4155- GPB—55,000—23-10-41

The Indian coinage ordinance 1940

File No. 158/R of 194

General and Revenue Secretariat

Serial No.

those enumerated there as legal tender. But Section 2 of the Mysore Coinage Act is of a general nature and it expressly lays down that all laws and rules for the time being applicable to coins current in British India shall apply to coins current in Mysore.

Under these circumstances, I do not think there is any need to take any further action. ~~The~~ amendments to the Indian Coinage Act from time to time and the various notifications issued by the Government of India thereunder will automatically apply to the coins current in Mysore.

~~Minister~~ for favour of remarks

Fin Secy
M/c)

Hm
2
24.2.42

BXR
24.2.42

I understand that this has been the practice in the past & the provisions of the Mysore Act Code also run likewise. I defer to the legal opinion

25/2/42

Minister
for Law)

Hm
2
26/2/42

BXR
26.2.42

Minister
for Fin & Rev)

27.2.

Hm
2
7.2.42

SXR
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OFFICE OF THE [illegible]
FOR FINANCE & REVENUE
27 FEB 1942
No 5190